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The Opinion

LIBRARY EXPANSION Page 4

OPINION

of the

UNIVERSITY OF BUFFALO LAW SCHOOL

Book Review "Law and the Modern Mind" PAGE 2

VOL. 11 - NO. 2 *A Publication of the Student Bar Association* APRIL, 1962

CANON 35 . . .

Law Study Encouraged

by Bill Scott

Law School Enrollment

Year	Freshman	School Total
1949	131	316
1950	153	319
1953	145	312
1961	80+	200+

A glance at the table will reveal that our Freshman class this year is rather small compared to the enrollment in some previous years. This seems to be the general trend throughout the nation. Fewer and fewer students enter law schools each year. In 1920, forty-two of every 1000 college students studied law. In 1960, with an increased population, and the demand for lawyers having gone up, only twelve of every 1000 students studied law.

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Barristers' Ball Set for Apr. 7th

An early cocktail party followed by an eight o'clock supper in the main ballroom of the Hotel Buffalo will begin the activities for this year's Barristers' Ball. Students and their escorts, faculty members and their wives (or escorts), and alumni accompanied by their feminine companions, will all dance, (or twist), to the rhythmic music of Jay Moran and his orchestra. At eleven o'clock thirty-six golden trumpets and forty-seven boy sopranos will announce the crowning of the Barristers' Ball Queen of 1962. Mrs. T. Curt Leixner nee Spraker, the 1961 Queen, will relinquish the diadem to her lucky successor.

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Students Placed

William Schultz

Two members of this year's graduating class may appear to be somewhat removed from the world around them, and well they may be, for their futures are no longer the question marks that plague so many sixth semester law students. William Schulz and Frank McGarry have both secured positions that bring honor to the school as well as themselves. Schulz has been selected to replace David Fielding, '60, as Clerk to the Court in the Appellate Division, Fourth Department. The prestigious position will be the more enhanced, as Bill has been permanently assigned to Presiding Justice Alger Williams. Bill, who will embark on his new career

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Alden Awards Presented

William Niese, left, is awarded the Carlos C. Alden Award by John B. Walsh, secretary of the Erie County Bar Association. The Bar Association presents annually a gold key and scroll to the Senior student making the greatest contribution to the Buffalo Law Review during the year. Mr. Niese, class of 1961, was Editor-in-chief of the Law Review.

Copious research has disclosed that the New York position on Canon 35 is as follows: The First and Second Departments, in 1954 and 1938 respectively, have adopted special rules banning the court room photographer. The Third and Fourth Departments have no such ruling.

Editorial
Is It Too Harsh?

Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the court room, during sessions of the court or recesses between sessions, and the broadcasting or televising of court proceedings are calculated to detract from the essential dignity of the proceedings, distract the witness in giving his testimony, degrade the court, and create misconceptions with respect thereto in the mind of the public and should not be permitted. (Canon 35 of the Canons of Judicial Ethics of the American Bar Association. Adopted September 30, 1937; amended September 15, 1952. The second paragraph is deleted.)

Berated and abused, celebrated and championed, the newspaper photographer continues in his role as our daily historian. His indefatigable camera records the news events for public digestion; his patience and awareness often capture a priceless moment forever. Our modest adulation concluded, we concur with the press photographers in their battle against *Canon 35.*

The A.B.A. believed, that because of the abusive conduct of many photographers in their indiscriminate picture-taking in the course of covering provocative trials, national sanctions were necessary to prohibit the photographer from ever entering the court room. Although blindfolded, Justice could not help but be affected by the obtrusive flash camera.

Until 1956, all states complied with the decision of the A.B.A., some twenty-one states and the District of Columbia actually adopting the rule. The lone dissenter, Colorado, on February 27, 1956, ruled through its Supreme Court that judges of subordinate courts have authority to decide whether to permit picture coverage of trials over which they preside. This rule stipulated, however, that no witness or juror should be photographed over his objection. Associate Justice O. Otto Moore, who presided at the hearings and recommended the modification said:

***Canon 35* assumes the fact to be that the use of camera, radio, and television . . . must in every case interfere with the administration of justice . . . If this assumption of fact is justified, the *canon* should be continued and enforced. If the assumption is not justified, the *canon* cannot be sustained. For six days, I listened to evidence and witnessed demonstrations which proved conclusively that the assumption of facts as stated in the *canon* is wholly without support in reality. (Italics our own.)**

The ardent followers of the A.B.A.'s judgment, most whom are the bench and bar, believe that the trial will become an Actors' Studio recital if pictures are taken; a witness, due to the presence of a photographer, may become conscious of only his own vanity; some editors could use the pictures unwisely; and, generally, picture taking at a trial does not contribute to the ascertainment of the truth. These points, though they may be pertinent, are refutable.

During or throughout the twenty-five years of the ***Canon's*** effectiveness, the camera, like almost everything else, has been a victim of prolific technological advances. It is possible, and this has been proved, to take pictures during a trial ***without the least disturbance!*** Fast film, pocket-size cameras and telephoto lenses account for this achievement. Thus, the ***Canon's*** rationale of exploding flash-bulbs and loud, clicking shutters is practically obliterated.

The courts belong to the people, not to a specialized group such as the A.B.A. The right to a "public trial" is fundamental to our system of jurisprudence and is guaranteed by the Sixth Ammendment. Rather then present a lengthy, soporific and platitudinous constitutional discussion, we firmly believe that our cause is included in a "public trial", and as such contributes to the aim of justice: truth and decency. But must it be necessary for picture taking to contribute towards the trial's ascertainment of truth in order for its presence to be acceptable? Doesn't its function of news dissemination merit its adoption?

The trial antics of some court room magicians will continue, camera or no camera. But categorically to imply that all trial lawyers will suddenly be using gallant gestures, make-up and capped teeth motivated by the idea of being "on camera," is to disparage the legal profession. If the lawyer will pay more attention to his own publicity than to his client's protection during the trial, it is not the fault of an inconspicuous photographer, but that of the bar. Perhaps we are naive, but we fail to conceive of lawyers turning a trial into a side-show simply because of a few pictures may be taken. In fact, with a relaxation of the ***Canon***, we envision an improvement in court room decorum because of the camera's presence.

The assumption that a witness will become nervous and apprehensive when he is faced with the thought of being photographed is purely conjectural. The advocates of the status quo have exaggerated this argument. The witness will not testify under the glare of stage lights, nor will he have a director telling him to face a certain direction. In most cases he wouldn't even be aware of the photographer's presence! Doesn't it also sound reasonable that more candor would emanate from the witness who knows he is being photographed? Finally, pursuant to the rule we advocate, (one similar to Colorado's decision), a witness could not be photographed if he objected.

The news photograph has the least potential of presenting distortions to the public. It is an honest, objective reproduction of an event. Consider the "editorializing" of the news column or the court room

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Law Review To Feature Business Corporation Law Symposium

As the staff of the Buffalo Law Review conscientiously prepares the material for the Winter and Spring issues, Anthony J. Polito, Editor-in-chief, has announced that the Winter issue will contain the following articles: A discussion of various Canadian-American Income Tax problems by Mr. Hilary P. Bradford, a lecturer at the Law School; an article by Mr. Donald Holzman concerning the burden of proof in Accumulated Earnings Tax cases and its development in the Second Circuit Court of Appeals; a discussion by Norton Steuben, Freshman Group Instructor, presenting a comparative analysis of Article 17 of the Warsaw Convention, which applies to wrongful death actions arising out of international air transportation; and "Workman's Compensation and the Desabling Neurosis," by Mr. Alexander R. Manson.

In addition to the leading articles, there will also be a number of student recent decision notes dealing with such topics as the Constitutionality of Obscenity Statutes; The Exclusive Priority of a Court Order for Support pursuant to Section 49-b of the New York Personal Property Law; Concurrent Jurisdiction under the Federal Death on the High Seas Act; and Contrast between Government Appropriation of Water Rights under the Commerce Powers and Emient Domain.

The Law Review is proud to announce that the Spring Issue is to be devoted to a symposium on the New Business Corporation Act for New York, which is to become effective in April 1963.

The symposium will contain an introduction by Mr. Robert S. Lesner, Counsel to the Joint Commission for Revision of the Corporation Laws; a general expository article by Professor Harry G. Henn of Cornell Law School; a discussion of close corporations by Mr. Robert S. Stevens, Dean Emeritus of Cornell Law School; an article dealing with the management of corporations by Professor Samuel Hoffman of Brooklyn Law School; an article on corporate finance by Professor Miguel A. de Capriles of New York University School of Law; and a general critical analysis by Dean Elvin R. Latty of the Duke University School of Law.

In addition, there will also be student work covering such topics as formation of corporations, powers, foreign corporations, amendments, mergers and dissolutions.

OPINION

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Editorial

Apologetica Pro Vita Nostra

A few days after "the Great Fire," we were standing in the office of the Erie County Bar Association approving the Bar Association's donation of free coffee to the poor, deprived law students, when we witnessed the following incident:

Apparently a veteran coffee drinker had attempted to get a free cup of coffee but was discouraged in his effort due to the lack of cups. He then took the opportunity to say that the School cafeteria's supply of coffee cups was lost due to the water damage from the fire. Not meaning to be nosey, but since misery loves company, we remarked that all of our back issues were in a filing cabinet which was unfortunately consumed by the temporary flood in our basement. To us this amounted to an irreplaceable loss. Nevertheless, our veteran coffee drinker said, (with a c'mon let's face it attitude), that the loss of the School's valuable coffee cups was definitely more serious. (He used one of those half-laughs which are about ninety-three percent serious.) We smiled pleasantly as our veteran coffee drinker then turned and left the room, probably in search of some far off levity.

We suppose there are some who would concur with our seeker of lost cups, especially under his circumstances. We are not going to castigate these holders of adverse views through name-calling editorials. We are pacifists at heart and respect the opinion of others.

But just for the sake of the record we are forced to take offense to the attitude expressed by our coffee sipper. We try to prepare a good newsworthy paper. We work very hard without the help of a large staff or adequate funds. If we had these two advantages our publications could be increased. We try to be a credit to the students and to the School. If our material is poor than we deserve honest criticism; but to condemn our efforts with such indifference does not show a very professional attitude.

We have had our say and will try to maintain our tranquil composure, and just to show that we are not angry, we thank our coffee connoisseur for giving us the opportunity to write this small piece.

'A Name, is a Name, is an Initial'

Page fifty-four of the Law Review's recent edition discloses an interesting item. Out of twenty-seven students whose names appear on the page, only ***three*** have no middle initial! Examing the names with their bold capital letters protruding between Christian and surname, we feel content . But when we see the deprived student who must continue along life's path sans this blessing, we are filled with empathy for him.

The easiest solution would be merely to adopt an initial. This procedure, however, is mediocre. The student could, if he were daring, place the adopted initial before his first name or if he were feeling audacious, use two initials instead of a first name and a middle initial. Or if he is sick of conformity and longs for creativity, the student could use a number instead of a name. This would solve all his problems.

As we await the solution to this plight of Western Man, we wish to congratulate the Editor-in-Chief and the staff of the Law Review for their work in presenting a very fine edition.

The Play's the Thing

Filled with civic pride, due to our inveterate humming of the "Boost Buffalo" jingle, we decided to visit the new Albright-Knox Art Gallery.

After wiping our feet an additional three times on a large mat, we opened one of the glass doors, maneuvered a few quick steps and were met by a large, colorful Matisse. We continued our journey through the warm, well-lighted corridors of the Gallery, pausing reverently before each canvas and occasionally stopping to admire the new building itself. At the close of an enjoyable afternoon we left the Gallery, (not humming the "Boost Buffalo" jingle) feeling very proud that Buffalo is now located on the "Art Map" of America.

While driving home that cold, dull afternoon and remembering that we had tickets for an amateur play that same evening, our thoughts turned once again to the idea of a ***Civic Theater.***

The movement for a theater and the scarcity of decent local drama has always been appropriate discussion material over a cup of coffee or following a disgusting Saturday night at the movies. But recently we have noticed a new, more positive attitude towards the possibility of a ***Civic Theater.*** Perhaps its only our imagination, but more people appear to be very interested in theater; more local shows are consistantly sold out; the amount and quality of local productions have risen and the future looks even more promising.

Without the help of an aroused public this idea can never be consummated. It is imperitive for a dedicated few to initiate the drive and to show the city patricians that a local theater must be built in the City of Buffalo. We appeal to the civic minded citizens who now take so much pride in their new Art Gallery; we appeal to the Mayor of Buffalo and we appeal to, (and encourage,) the local theater groups.

Reflecting on the situation, we are beginning to feel more confident each day, especially after we over-heard a comment by a rather pretentious female theater ***aficiondada*** as she was lauding the performance of a local actress: "Well, theater's going great guns in this town!" What more can we say.

Letters to The Editor

Opinion - Editor
UB School of Law
77 W. Eagle St.
Buffalo 2 N. Y.

All letters must be subscribed. Names will be withheld on request.

To the Editor:

I would like to speak out against the choice made by the SBA in regards to where this year's Barrister's Ball will be held. It appears to me that, in a heyday of confusion and mismanagement, the SBA fell down on the job by abandoning arrangements for what might have been a successful Law School affair. This year's Ball should never have been changed to the Hotel Buffalo, over the original preference of Prudhomnes in Canada. Perhaps I can receive some support in stating that a third rate hotel is no match to Prudhomnes, and certainly no place for a professional group to have its important annual affair. I remind those interested that the dollars and cents aspect of this affair will remain the same. However, money that could formerly have been well spent will now be wasted on a poor location. An hours drive, in the latter part of April, even with a Canadian drinking curfew, would indeed be far superior to the present sad arrangements. The issue of alcohol should not have been given such undeserved preference. Although I had originally looked forward to this year's Barristers' Ball, I can now only voice my disappointment, and cancel my participation. Perhaps, next year, the SBA will choose more wisely.

Ronald P. Kaminski
Class of '64

To the Editor:

Being a studious and conscientious law student, I find that I am forced to use the facilities of the Law School library on many occasions. I remove my smart looking blue case books from my old leather briefcase, take my Scripto from my pocket, and just as I am about to indulge in the beauty and majesty of the Law, I am suddenly disturbed in my reverie by the constant droning of conversation which seems to fester in the library. Since I must check my Mauser at the office each day, it is impossible to put a stop to all of this enlightening chatter. I have considered hand-grenades, but the effect is usually quite messy. I have entertained the idea of police dogs who would be trained to kill at the slightest sound or of importing a few AWOLs from the French Foreign Legion. In fact, I have forwarded a letter to the Bengal Lancers and I am expecting an answer shortly.

But until some devious scheme can be consummated, the situation remains in a precarious state. It is literally impossible to concentrate on the subtle nuances of a case's ratio decidendi while your fellow students are engaged in idle comment. Since we are prisoners for eight hours a day, I wish something could be done to remedy this library's situation.

If the status quo is to prosper, I suggest we notify Hollywood and inform them that if they need sound recording for mob scenes in their spectaculars, we have the answer!

Robert Greenwood
Class of '63

While the first federal income tax law in the U. S. goes back to 1913, such laws aren't new. Egyptian scrolls indicate that taxes were collected in 900 B.C. for public works.

BOOK REVIEW

by Walter W. Miller, Jr.

Editor's Note: Since its first appearance in 1930, this book has been reprinted five times. The ideas in it compel the attention of lawyer and student, for the problem it describes is as pressing now as it was then.

Law and the Modern Mind

by Jerome Frank

The late Judge Frank was less concerned in this book with a discussion of the law itself than he was with the "myth of the law," the attitude that the public at large and even lawyers and judges have toward the law. The law is certain, fixed, unchanging in their view. Professor Beale of Harvard exemplified this view for Frank in his insistence that no particular decision or judgement of a court can be regarded as law itself. For Beale "Law" is uniform, general, continuous, equal, certain and pure. Frank attributed this view to a yearning for certainty, to a failure on the parts of adults to outgrow the feeling of security felt during childhood. A child's father represents knowledge and authority, but eventually the child discovers that his father is not always right. Then, Frank said, the child, and later the man, unconsciously looks for a substitute for the early firmness and sureness he found in the parent. He looks to the "Law" to fill this emotional gap and builds a myth of the law to fit his need.

The way in which the myth expresses itself, the reality which it hides and the dangers which it creastes are described in Part I. For example, the myth maintains that law is a complete and fixed pre-existing body of rules. Lawyers dig into precedents to find the law and urge it upon the Court. Judges discover law and apply it with the certainty of a formula. Thus, the careful lawyer will find the correct princple of law and the judge will recognize it. Frank maintains, however, that in reality, the judge is not a logic machine nor is the most industrious lawyer always certain to "find" the law and be able to predict the answer. Judges are people and judges with different personalities might well reason in different ways and come to different conclusions. There is no mechanistic law: law is not law until the Court, (usually the highest one) says what it is. As best, Frank said, the judge is an arbitrator trying to choose the best course to follow in a given situation.

The dangers of this clash become apparent. The lawyer actually knows that there is no certainty as claimed, that everything depends on the choice made by a particular decision. The client, however, expects predictability. If the lawyer predicts success and loses, the client feels that either the lawyer did not work hard enough to find the law or else the judge did not apply the correct principle which the lawyer found. The lawyer must hold out to the client the illusion of legal certainty: there is an answer and he will find it, because this is what the client expects. He must also keep one eye on the bench, trying to bring the case before a particular judge known to be favorable to his position, and realizing at all times that no matter how carefulhis research or marshalling of precedents his answer is not a certainty until the Court says so, and remains a certainty unless the Court later overrules itself.

Turning from the lawyer's problem to that of the judge, the myth says that the judge is supposed to approach the problem by looking at both sides and then, accepting the one view as the correct one over the other, by deciding accordingly. He couches his opinion in terms of rules and precedents and in so doing projects an image of a man to whom cold logic dictates certain principles which he must apply to the case in hand. This compusllion makes the case binding and immune to reversal. In reality, the judge is aware that the precedents may dictate no clear course and that in the end he may have to employ his discretion to reach a decision. As one judge says, after considering all the material that has come out in the trial, he gives his imagination play, "and brooding over the cause, waits for the feeling, the hunch - that intuitive flash of understanding that makes the jump-spark connection between question and decision." First the hunch, then the decision, then the authorities, the precedents to support the decision. But, the myth never permits a hint of this from the bench. In the same way, when new circumstances demand that a previous decision be overruled, the judge avoids admitting that the bench is changing its mind. This fosters the myth.

Discretion as well as certainty, hunches as well as logic, personality as well as precedent all play a crucial if not clearly definable role in the practice of law - but few people realize it and fewer still admit it. This results in confusing and deluding the public. It also creates split personalities on the part of thoughtful lawyers and judges. It may lead to mistrust of the law, to a grave loss of its prestige.

In Part II, Frank gives us the outlook of some leaders of the law: Pound who hoped for a system of fixed rules for the business world and greater flexibility and discretion in the field of human conduct; Cardozo who recognized uncertainty in the law and wanted to pass his knowledge on to the public while he continued to yearn for illusory certainty; Jhering who hoped for a kingdom of justice on earth based on fixed rules; Demogue and Wurzel who contended that it was necessary to delude the public. Through this Part and Part III, where he discussed Holmes' ideas, Frank stressed the idea of law as a growing, developing, changing standard and guide for a changing world. With Holmes, he recognized that the role of lawmaking is the responsibility of the legislative branch but recognized judicial law-making as a real if "largely unconscious" process. Holmes said that since the courts do and must make law,

it seems to me desirable that the work should be done with express recognition of its nature. The time has gone by when law is only an unconscious embodiment of the common will. It has become a conscious reaction upon itself of organized society knowingly seeking to determine its destiny.

With great skill in the use of words and illustrations, with clarity and careful organization, Jerome Frank presented a plea for a courageous, skeptical appraisal of the law and our understanding of it, as Holmes and others questioned and then developed new concepts of the reality of law. Concerned less with formulating a precise definition than with clearing away the mists of myth, Frank asks only for under-uncertainty in law, a moving toward the molding of new, realistic ideas of law for the modern mind. Where he stays with his theme, the message he presents is powerful and effective. Where he wanders into child-psychology, the nature of the universe, the mysteries of man's

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CHUMPS STUMP; PLUMP DUMP!!!

Our two gay-blades gently escort our lovely Miss to the annual Barristers' Ball.
(The road was rocky, but how could we beat such a good deal) ???
Editor's Note: We wish to thank our visual-aides staff for this editorial statement.

The SBA: Gelding The Lily????

We wish to voice our belated dissent to the manner in which the Barristers' Ball feud was finally resolved.

We witnessed the adoption of an unprecedented procedure giving the students the opportunity to speak and to vote on the Prudhomme's idea. Never since ancient Athens has there been such ***pure democracy***, never since the Ides of March has there been such a ***destructful conspiracy***.

The standard-bearers of the loyal opposition completely disregarded the SBA. After they confused and distorted the issues they led a barnstorming campaign to add to the ranks of their ***organization***. They were convinced of the justice of their position, and when the SBA provided time at one of their meetings to hear the opposing arguments, they didn't bother to attend, but waited until afterwards to criticize and to start their bandwagon.

The students of the Law School elect members of their classes to participate in the SBA. This organization plans all the social activities of the School. Everything is accomplished in an orderly fashion through the appointment of various committees. Concerning the Barrister's Ball, a great deal of planning went into the choice of ***Prudhomme's***, and because of all the possible ramifications the SBA decided to hear all the complaints. Adequate notice was posted, but the pro-and-con session went unheeded. The result was a ridiculous "open meeting" which did nothing but prejudice the entire controversy and which was a direct slap in the face to the SBA.

Whether ***Prudhomme's*** would or would not have been a success is of no import; it is a matter of principle. Do the students wish to conduct disputes in an orderly manner through the SBA, or do they wish to retain a veto power and by the caprice of a few "interested parties" enforce their veto by mob type action?

The SBA is not a dictatorial board. It is purely representative and it always tries to advocate the best interests of the students. In the future if the action of the SBA must be subjected to this type of treatment, this student organization ought to dissolve and let "da masses" triumph.

Up to Date with ALSA and the ABA

by Charles W. Beck

The American Law Students Association, now in its 13th year of continuous growth and development, is indebted to the American Bar Association for its pioneer efforts which gave impetus to the fundamental student desire for a national union of student bar associations.

Through the ensuing years the ABA and ALSA have worked closely together toward improving the professional preparation of the law student. Their joint efforts have been keyed to introduce students to professional problems and responsibilities that must be faced upon admission to the bar; to acquaint students with the nature and activities of bar associations; to promote the idea of professional responsibility; and to provide a medium of educational exchange and mutual problem solving among the law students of the nation.

As an example of the continuing service offered, I should like to cite the efforts of the ALSA and ABA in the field of placement. Since its inception placement and job opportunities have been of prime concern to the ALSA. As an example I would refer the reader to such articles as, "An Introduction to the Work and Jurisdiction of the Federal Bureau of Investigation," and "Career Opportunities in the Field of Legal Education" appearing in "The Student Lawyer," the journal of the ALSA. In addition, the ALSA has available multiple pamphlets examing in some detail necessary aspects and considerations of the many career opportunities awaiting the law school graduate; "Business Aspects of The Legal Profession," and "Practical Answers on the First Years of Law Practice" to cite two.

To provide continuity for the information program of the ALSA the ABA has initiated a Lawyer Placement Information Service to assist Association members seeking employment in law firms, business or government. This service, initiated January 2, 1962, is based on a cooperative pilot project conducted by the Junior Bar Conference of the ABA and the American Law Students Association.

The faculty and administration as well as the members of the Student Bar Association of the University of Buffalo School of Law are fully cognizant of the benefits to be derived from joint ventures between the institution of learning and the organization of local practitioners. For this reason students of the Law School now find available educational experience providing insight to the conduct of the legal profession.

Starting early in November of 1961 the University of Buffalo School of Law and Erie County Bar Association provided a six week session on "Labor Relations Law for the General Practitioner" in which the law school students were invited to participate.

Also in November of 1961 the New York State Association of Trial Lawyers conducted a trial demonstration based on a close medical question to which they extended their invitation to attend to the students of the University of Buffalo School of Law.

On February 27th the members of the student bar invited to attend a demonstration of examination and cross examination of medical witnesses presented through the joint efforts of the Erie County Bar Association and the Erie County Medical Association.

It should alse be noted that

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The Ballad of Palsgraf v. Long Island R.R.Co.

Editor's Note: Mrs. Palsgraf was a victim of a fortuitous circumstance. While standing on a Long Island Railroad platform she was suddenly struck by a falling weigh-scale which had toppled over due to a freak explosion. The cause of the explosion: A hidden bomb was inadvertantly dropped by one of two men as they were being hurried on to a train by a persistant conductor.

This occurrence produced one of the most illustrious cases in negligence law. Judge Cardozo, writing for the majority, discussed the duty owed by the railroad to Mrs. Palsgraf; while Judge Andrews, dissenting, agreed with the hapless plaintiff under the doctrine of proximate cause.

Caesar J. Naples, a junior, has immortalized poor Mrs. Palsgraf in the following poem:

'Twas in New York, in '26, the day was bright and fair;
No one foresaw the drama anon to unfold there
That caused the legal theorists to extirpate their hair.

The Long Island Railroad train was pulling out that day.
Its old smokestack was puffing steam as it got underway.
"Here's just another run," they said, "There's nothing new today."

When suddenly a shout rang out which curled a porter's hair;
Two men were running for the train, abandoning all care;
They ran, they leapt, they caught the train, but almost missed a stair.

As one man slipped, a railroad guard who stood within the station
Ran to his aid (he'd heard about his legal obligation
To exercise the highest care for passengers' protection).

The guard reached out to help the man whose box, alas, was hurled
Beneath the tracks -- a blinding flash -- up, up the black smoke curled;
'Twas reminiscent of the shot that echoed 'round the world.

A few yards off a woman stood, oblivious to all;
She weighed herself upon the scales that stood against the wall.
She did not hear the deaf'ning blast resounding through the hall.

The smoke filled all the station and the flames flashed hot and red.
Poor Mrs. Palsgraf rued that day when she got out of bed.
The railroad scales were shaken loose, and fell upon her head.

"This case will come to court!" she warned defendant railroad line.
"The mills of Justice grind so slow, but grind exceeding fine.
For I'll be redressed for my pain and justice will be mine!"

Cardozo, C. J. told her that an action would not lie
For negligence which, she alleged, lie brooding in the sky:
The railroad owed no duty to this casual passer-by.

But Andrews, J. (dissenting) discussed the casual chain:
This harm could not have happened, nor could occur again
Without the wrongful acts performed upon the railroad train.

The moral of this story, and it stands here good or ill
Is: In suing for your injuries, you won't collect one mill
If a Chief Judge informs you that you're unforeseeable.

Library Expansion Plans Move Rapidly

by Ted Kraft

The students and faculty of the Law School have been aware of a great deal of activity in the library since the beginning of the Fall term. The more obvious forms of activity have included a constant rearranging of books, the extension of the library resources to the second floor and the increased rate at which books are being acquired.

All this activity is occasioned by an ambitious program of library expansion put into motion by the Law School administration under the direction of the new librarian, Associate Professor Morris L. Cohen. Questioned about the ends envisioned, Assoc. Prof. Cohen described his two major goals: The first is the expansion of the library's physical resources - its capacity and equipment, the scope and quality of its collections, and its personnel and services. The second and ultimate goal is to increase

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Associate Professor Morris L. Cohen

Law Study Encouraged

(Starts Page 1, Col. 1)

The American Bar Association has suggested ways to remedy this decline in enrollment, in order to prevent a future shortage of lawyers. Generally, pre-legal counseling is poor and inadequate. In many schools, if they have any such program, it is handled by people who know little or nothing about legal education, or how to prepare for it. A trained staff of experts in this field is the ABA solution; men and women who could give sound advice to prospective law students on preparatory undergraduate courses, opportunities after graduation from law school, etc. This would be the first step in the right direction.

There is also a very pressing need for increased financial help in legal education. There are now about 40,000 law students in approved law schools around the country. In 1960, a little over $2,000,000 was available to these students for scholarship aid. Nine schools controlled more than one half of this amount. This means that $1,000,000 was left for the remaining 130 schools; and eighty of these remaining schools had funds ranging from $10,000 to nothing.

These are the crucial problems facing the nation's law schools, and our own school is no exception. Dean Jacob Hyman is now engaged in a series of visits to the colleges and universities in our area, for recruiting purposes. He has been to Canisius College, and will soon go to the University of Buffalo campus and to Saint Bonaventure. The practice is to take along a U.B. Law School graduate who has also attended the school being visited. In this manner, it is hoped that more students will be able to get first hand, accurate information concerning our Law School, opportunities for graduates, and any reccommended pre-law study.

The May first "Law Day" open house held at the Law School last year for the first time is scheduled for the same time again this year. This program is aimed at getting anyone interested in law into the building for a day. They see classes in action, speak with the faculty members, and are taken on a tour of the building. The program is under the direction of Professor Wade Newhouse.

It is also hoped that the eventual move to campus will draw more students to the Law School. Students in the many undergraduate divisions will then be in closer proximity to the Law School, and the school in turn will be able to take a more active roll in University activities. This move is expected in three or four years.

The tuition here is expected to drop for the fall semester of 1962. The exact amount is not yet known, since this figure is determined by the Board of Trustees of the State University of New York.

In addition to the New York State Scholar Incentive Award program now in effect, and available to all college students, we have at the Law School the "Annaul Participating Fund for Legal Education," which is composed of donations from both alumni and non-alumni of the School. The fund provided a scholarship for an entering freshman each year. When the state takes over, it may provide two such scholarships, because of the cut in tuition.

If these recruiting plans are successful, we should be seeing larger and larger freshman classes in future years.

"If at first you don't succeed, that makes you about average."

Library Expansion Plans

(Starts Page 3, Col. 4)

New statute section put to use

the number of available reader hours, and to help the researcher achieve a more effective yield per hour invested.

During the Fall term, owing to the increased rate of book acquisition, eighty-six new book stacks were installed. These increased the library's housing capacity by about twenty percent, but the slack was quickly taken up as the library staff set about housing hundreds of newly acquired volumes, including the annotated statutes from Iowa, Minnesota, Oklahoma, and Wisconsin. These life-time compilations reduced to ten the number of states not yet represented in the collection of current annotated codes. Assoc. Prof. Cohen is currently negotiating for gifts or exchanges from law librarians in two other states. The cost of the four codes mentioned came to about twenty percent of last year's entire budgetary allocation for books and periodicals, and it is clear that the collection will be completed before the library's next fiscal year.

Expansion of the library's general collection will progress as budgetary and space problems are solved. Assoc. Prof. Cohen estimates that with an increased availability of funds and the removal of the Law School to a new major law center on campus, the first stage of the expansions should be culminated in approximately seven years. This stage includes acquisition of a full working collection of Anglo-American primary legal materials, a complete library of all significant legal periodicals, an augmented treatise collection, a broad selection of comparative legal materials and secondary sources, and a supplementary library of related research sources in history, political science, psychology, and allied social sciences. Realization of this goal will double the present collection of some 32,000 volumes. Its cost, in addition to the usual operating budget, will run well into six figures.

Concurrent with the physical expansion will be an increase in the professional staff and library services. In addition to Betty Nevling, the popular Circulation and Acquisitions Assistant, a professional cataloguer has become a member of the staff. He is Joseph Pascucci, a graduate of the Law School and a former staff writer and indexer with the Lawyer's Cooperative Publishing Co. Mr. Pascucci will develope an up-to-date and effective catalogue for the entire collection; the library's first major bibliographic improvement. Within two or three years, the librarian hopes to engage another full-time clerical assistant and a professional reference librarian.

When the annotated statutes of all the states have been collected, the next goal will be to obtain complete sets of the administrative reports and decisions of all federal agencies. At present, only five such agencies are represented. Pursuant to the policy of creating specialized reading areas and alcoves (as was done for tax materials at the west end of the reading room), these federal administrative materials will be housed in a new alcove to be constructed in the reading room. At present, such reading areas are being set up for the state statutes and federal legislative materials at the east end of the reading room. Federal and United States Reports are gathered in room 207, and New York Reports in room 217. A major gift from the Baker, Voorhis Co. consisting of most of the lawyer's sets published by it and Lawyers Co-op will also be housed in room 217.

Major augmentation is projected for the library's collection of looseleaf services, legislative documents, periodicals, trials, legal histories and biography, and comparative and international law. This expansion will include previously uncollected areas such as bar association proceedings, judicial conference and council reports, congressional reports and hearings, foreign law, public utilities reports, and state session laws.

Prior to the flooding of the School basement, a result of the Hodick and Taylor fire, the library possessed a substantial collection of the official reports of approximately 30 states up to the time of the initiation of the National Reporter System (1880). Although approximately 1,000 volumes were lost from this invaluable collection, the remainder will form the basis for a projected collection of all the official state reports. Since there will be no housing available for the completed collection until the new law center is built, the collection will be compiled slowly and carefully in response to market offerings. The cost of the collection may exceed $30,000.

Gifts from alumni and friends of the Law School and the library are especially helpful in filling perminent gaps in the collection and in developing special sets that cannot be purchased out of the regular budget. An example of this is the current purchase of the Opinions of the U.S. Attorney General, a 40 volume set of legal interpretation of historical and contemporary importance, made possible by the Jaffe Fund. The librarian points out that such donations, as well as gifts of books and periodicals, are deductable tax items. Private donations are especially sought in order to acquire major items like the micro-pring edition of the records and briefs of the Supreme Court of the United States, not currently available in Buffalo.

Through donations, gifts, and a few purchases, the library has developed the beginning of an impressive Treasure Collection of early English and American law books. These rare books not only make possible serious historical research into the origins of our legal system, but also add an inspirational and cultural dimension to the library and the curriculum. Those students who

(Cont. Page 7, Col. 3)

Court of Opinion

By SEYMOUR M. MANDEL GEORGE M. MARKARIAN

Query: The public image of the attorney: How can it be improved?

Carlton A. Fisher, Justice of the Supreme Court of New York

The image of the lawyer can always find room for improvement. The public has a distorted picture of what the attorney is. For the most part it has been created by the fact that the attorney gives unsound advice to clients, in his eagerness to retain them. The disgruntled client can do more harm than a dozen good clients. The good client usually keeps the merits of an attorney a secret, whereas the disgruntled client makes his feelings well known.

The picture can be improved by educating younger attorneys to give wise and deliberated counsel. Be honest with your client. The attorney might lose the retainer for that one case but the client may return for future cases after he has gone to another attorney and has lost the case and realizes the merits of the first honest attorney.

Joseph Laufer, Professor of Law, Law School, University of Buffalo

The public image of the attorney is often created by the attorney who receives poor publicity in newspapers. The majority of attorneys who act ethically do not receive any comment whatever--they are taken for granted.

By and large, the attorney's image is not too favorable. Part of the cause of this adverse image is due to a lack of sufficient policing by the bar associations. Partly it is due to our own society. Criticism of the Bar, in other words, is often criticism of our own society.

The backwardness of our law is another reason. Changes in the law are desperately needed in certain areas which would help the attorney out of almost impossible situations. To mention just one: Our divorce laws and the grave abuses involved in so-called divorce mills.

Perhaps in an energetic self-policing of the Bar and more determined action to reform the law would improve the public standing of the legal profession faster than television and newspaper publicity extolling its values.

Louis A. Del Cotto, Associate Professor of Law, Law School, University of Buffalo

The public image of the lawyer consists of many faces. The one seen depends upon the viewer. The disgruntled litigant often sees incompetence. The businessman, accustomed to paying for "preventitive" law, sees a talented and productive citizen, promoting commercial needs while preserving the legitimate demands of community and government. A more blurred face is conveyed through the media of communication and entertainment. This blur is caused by the fusing of a number of popular notions regarding the role of an attorney, some fact and some fancy. He is the defender of the poor and unpopular, the tool of the rich, the courtroom magician, the shrewd manipulator.

All in all, the overall image can stand substantial improvement. The primary responsibility for this improvement lies with the profession. It must keep its house in order; it must make clear to the public the legitimate and real role of the attorney.

Alfred B. Silverman, Deputy Attorney General:

The public image of the attorney is a poor one. In years past the public regarded the attorney as a professional man of high standard, whose opinion was highly regarded and respected. He now has become, in the opinion of many, a necessary evil. As a result his economic status has not kept pace with that of the other professions.

The public has been sold a bad bill of goods, publicity wise. The attorney has no merchandise to sell that the public can see and feel. He can only give them the benefit of his years of experience. In the majority of cases clients do not feel they are being charged properly, no matter what the charges or how invaluable the services.

The answer to the problem is a difficult one. Schools of medicine and dentistry limit the number of students permitted to enter the profession. The legal profession should do so also and require higher standards for its entrants. Many students fall back on the legal profession since they can gain entrance to law school more easily than into other professional schools.

The bar associations should do more to create a better image of the profession, and in raising the perspective of the attorney, his need and standing in the community.

Myron M. Siegel, Attorney-at-law:

There is a public image of the attorney that needs improvement. It can be improved by the individual attorney; his individual action with the public, other attorneys and his outside associations. The attorney's everyday demeanor in association with the layman is vital. He must treat each individual client with respect and courtesy. He should show a definite interest in individual problems by serving his client promptly and by charging an adequate and fair amount for the time expended.

The bar associations should educate the public via television, radio, and newspapers. It should instruct and inform the public with the attorney's function and the services he performs for which hs is paid.

Paul J. Brinson, Attorney-at-law:

The legal profession is held in generally high regard. It is not as highly regarded as the professions of medicine, science, astronautics and higher education. Part of the reason for this lies in the fact that the legal profession involves the resolution of conflicts between individuals and in every case someone must lose in part and the loser may to some degree attribute his loss to the lack of ability and responsibility of his attorney. You must expect therefore that the profession will be criticized by many. Therefore it behooves us to do our very best in all cases and educate the client in the early stages of his relationship with us to the fact we may not be able to obtain all that he may wish. I have noted that very often attorneys in jest denigrate their own profession. My opinion is that this should not be done unless the humor is of the most excellent of quality because what is said in jest may ofter be taken in earnest. If attorneys feel that their public image is not what it should be, they should remember that the primary source of the public is their own conduct.

The *Opinion* thanks these gentlemen for their frank comments.

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Law Review Elects Editor

On March 13, members of the Law Review elected the Board of Editors for the 1962-63 school year. Roger Barth is the new Editor-in-chief. In addition to having general supervisory duties, he will obtain writers for leading articles in each issue. Managing Editor Donald Simet will have responsibility for the fall Court of Appeals issue. Eugene Smolka is Editor for the symposium issue which is devoted to one area of lar of current interest. Robert Stein is Book Review Editor for all issues. Roger Olson will direct the winter issue containing several extensive articles by staff members on recent decisions from various courts other than the Court of Appeals. Joseph DeMarie has been appointed Business Manager. Prior to the election, other candidates were chosen as members of the Review. They are: David Knoll, Miles Lance, Timothy Leixner, Francis McGarry and Louis Siegel.

There are two kinds of party-goers. One wants to leave early, one wants to stay late. Trouble is, they're usually married to each other.

Students Placed

(Starts Page 1, Col. 3)

in August of this year, is a graduate of the University of Buffalo, and has spent two years as a Public Administration Intern for the State of New York. In Law School, Mr. Schulz served as the Managing Editor of the Law Review.

Frank McGarry

Frank McGarry has been asked to join the Justice Department in their Honors Program. Mr. McGarry is the first to go into the Justice Department from this school in recent years. The new position will take Frank to Washington, where he will be assigned to the Criminal Division and where he hopes to work against Labor Racketeering. Frank is a graduate of Cornell's School of Industrial and Labor Relations, and at Law School served as a members of the Law Review.

"This is the month when church finance committees wish they had all the money the internal revenue people are told was donated."—

Clinical Program Adopted

The National Council on Legal Clinics has announced the first series of grants to law schools for the support of experimental projects in education of law students for professional responsibility.

The Council, established to administer a Ford Foundation grant, has as its purpose, the development of a number of successfull innovations in methods and materials for educating law students as to their professional responsbilities.

The University of Buffalo Law School will be a participant in an experimental project under the direction of Prof. Joseph Laufer. The project contemplates that during two afternoons weekly the participating students will pursue a variety of activities and gain differing experiences in legal agencies. Among the agencies which have been receptive to the program and have assured their support for it are the Criminal Law Committee of the Erie County Bar Association, the Children's Court, the Erie County District Attorney's office, The Buffalo Legal Aid Bureau and the Corporation Counsel's Office. Each student who participates in the program will be able to choose the agency he desires to work for and through the opportunity of first hand observation, the project will tend to lessen the gap now existing between classroom instruction and the demands made on an attorney in actual practice.

It is expected that the program will make the students aware of the crucial importance, for themselves and for the bar, of the various "public" aspects of the legal profession that cannot be adequately taught in the traditional classroom manner.

Barristers' Ball

(Starts Page 1, Col. 2)

The co-chairmen, Philip Burke and Peter Fiorella, have disclosed that Atty. Harold Fahringer, an alumnus of our School, will be the principal speaker of the evening. Atty. Arthur Bailey, also a U.B. alumnus, will be the Master of Ceremonies.

Advance sale tickets of $15.00 can now be purchased from ticket co-chairmen, Edward Wisniewski and David Frey. However, the ticket price of $17.00 (a $2.00 premium), will be charged for tickets purchased at the door. (A color phto of Lt. Col. John Glenn on the reverse side of each of these tickets accounts for the price fluctuation.)

Facetiousness aside, this year's Ball promises to be one of the best. Please try to attend.

My Neighbors

"All right, be mad then!"

"A bargain is something you can't use at a price you can't resist."

Canon 35

(Starts Page 1, Col. 4)

artist, where the possibility of giving a slanted point of view is always present. We believe the distinction is painfully obvious.

Don't you think that it would best serve the interested of justice to have defendant's picture taken as he appeared before the eyes of the jury rather than to have the public image of the trial result from reproduction of the militant conduct so popular in court building corridors?

We whole-heartedly believe that the Colorado court's decision is the best solution to this problem. The presiding judge, in his discretion may still ban photographers from the court. Furthermore, the National Press Photographer's Association specifically respects the right of the court at all times to supervise its proceedings, and that any participant, be he reporter, artist, or photographer, is subject to punishment by the court when this privilege is abused.

We specifically call upon the state of New York to reconsider this problem. A legislative committee should conduct hearings on this subject, and make recommendations to the lawmakers for a statewide alteration of *Canon 35*. If the legislature finds itself overburdened with its present agenda, we call upon the state judiciary to propose the modification of the *Canon*.

A succinct explanation of our proposals follows:

1.) News photographers be permitted to take pictures during court room trials.
2.) The presiding judge, in his discretion, may bar all photographers from the court room if he believes the nature of the litigation warrants such a bar.
3.) No witness or juror is to be photographed over his objection.
4.) This ruling does not extend to television or motion pictures, but is confined to the unobtrusive taking of still photographs.

In conclusion, we submit a statement taken from an address given by former United States Attorney General, Herbert Brownell, who also proposes the *Canon's* alteration:

As a practical matter, only those trials with a high news value would be covered. If public interest runs too high causing some photographers to become overzealous, the court's discretion could have them removed, just as the court could remove anyone who creates a disturbance. Within such limits, it probably would develop that camera coverage of trials was not such a momentous issue as both sides have made it up to now.

Book Review

(Starts Page 2, Col. 4)

longing for certainty, he deflects his reader's attention from the force of his main presentation.

Although it appeared over thirty years ago, this book is as timely as ever in the light of the recent Supreme Court opinions expressly overruling earlier holdings. The publicity given to these decisions will illuminate understanding of the law as it is. Now is the time for studies on the limits and guides of judicial discretion. As they appear, this excellent study by Jerome Frank, with its thorough reference notes, numerous appendices and careful indexing will continue to be necessary to an understanding of the scope of the problem.

Up to Date with ALSA And the ABA

(Starts Page 3, Col. 2)

with the publication of the October 1961 issue of "The Opinion" its circulation was expanded to include all members of the Erie County Bar Association.

In addition to the benefits already extended to the student there has been consideration of a program which will provide the law student with some insight into the activities of the Erie County Bar Association, and to acquaint the law student with the areas of concern and programs of the organized Bar.

Further, Mr. Joseph Laufer of the Law School faculty has been working closely with members of the Erie County Bar Association in development of a program to provide the law student an introduction to practice well in advance of his approach to the bar. Here, it is hoped, is a partial answer to the students' desire for the realities of practice, and, the Bar's desire for a graduate who is better prepared and equipped to assume the obligations of practice.

The attainments possible through close cooperative efforts are amply demonstrated by the example of the ABA and ALSA, and now, the cooperative efforts of the University of Buffalo School of Law and the Erie County Bar Association are establishing a local implementation to be envied by every similarly situated locality.

One out of every nine homes built in the U.S. last year was mobile . . . Inventive and creative genius in America is very much alive and kicking. Patent applications are received in the U.S. Patent Office at the average rate of 40 per hour . . .

Sorrentino Elected President Of SBA

V. James Sorrentino, a junior from Buffalo, has been elected President of the Student Bar Association. Newly elected junior class representatives include David Knoll, Gerald Carp, Caesar Naples and George Markarian. Those elected by the freshman class are James Arcadi, Lance Billingsley, Louis Cacciato, Gerald Lippes and David Siegel.

In order to re-vitalize the SBA, Mr. Sorrentino has proposed various innovations. He has established an Executive Committee which will meet twice a month. This committee, composed of Mr. Sorrentino and an SBA representative from each class, will plan an agenda for the coming month and review the accomplishments of the preceeding month. The Vice-President-Elect, Mr. Carp, will be the responsible head of all committess, and will check on the progress of these committees to insure the success of their proposals.

The Executive Committee will join the Finance Committee in establishing a budget for all Law School organizations. Mr. Sorrentino believes that since the Law School is now a part of the State-wide school system, an opportune time has presented itself to request a substantial raise in the Law School's appropriation.

To preserve the democratic functioning of the SBA, and to insure the students of representative government, Mr. Sorrentino has stated: "I would like to remind all students that SBA meetings are open, and all students and faculty members are invited to attend. Although you have no official vote, you will not be denied the right to speak on any topic being discussed."

Procedural Revision Passed; Civil Practice Act To Be Repealed

Both houses of the State Legislature have passed a group of bills extensively revising civil procedure in New York. It is virtually certain that the Governor will sign the bills which will be effective September 1, 1963, despite the opposition of most of the organized bar.

The bills were opposed by the bar associations principally on the ground that the Legislature had revised the proposals to curtail, rather than expand the rule-making power of the courts. The bar leaders felt that a revision of practice should include delegation of the power to make procedural regulations to the courts, as represented by the Judicial Conference, with Legislature retaining power to reject such rules. The Bar Committees claimed that the revision contained more statutory provisions, and less rules, than the Civil Practice Act and Rules of Civil Practice.

The procedure revision stems from a legislative direction to the Temporary Commission on the Courts in 1953. The Commission appointed an Advisory Committee consisting of experienced practitioners from various areas of the state; James O. Moore, Jr., former State Solicitor-General, represented the Buffalo area, Professor Daniel H. Distler, was full-time Associate Reporter to the Committee before coming to the University of Buffalo Law School.

The task took over five years to complete. In 1960, the Committee presented its proposals to the Legislature, and after public hearings and substantial comment by the bar, a revised proposal was introduced in 1961. Thereafter, the Legislature made further revisions for 1962.

The revision is reported to be the most extensive revision of practice since the original Field Code of 1848. Although basic concepts are generally left undisturbed, streamlining of language, organization and procedures is effected throughout the practice.

Provisions relating to specific kinds of actions, such as real property, domestic relations, and corporations, were removed from the general practice act and transferred to the consolidated laws.

The new statute, to be called the "Civil Practice Law and Rules" (cited CPLR), combines statute and rules for the convenience of practitioners. In each article certain of the provisions are statutory sections and others are rules of practice.

Dean Aids In Muslim Defense

Dean Jacob D. Hyman of the University of Buffalo Law School has been assigned to handle the claim of a member of a religious sect embracing the Islamic religion who is an inmate of the State Prison at Attica. Claimant, William SaMarion, has alleged in a suit brought in the United States District Court for Western New York that he, and others similarly situated as inmates of Attica Prison, have been denied the right to hold congregational services, communicate with ministers of the Islamic faith, and use and possess literature concerning their faith. Petitioner claims discrimination on the part of the prison officials in these matters, alleging that members of other religious faiths have not been so restricted. Petitioner's claims are made under 42 U.S.C., Sec. 1983, to redress the deprivation under New York State laws, statutes and regulations of rights and privileges secured to the petitioner by Article XIV of the United States Constitution.

It is interesting to note that a recent decision of the United States Court of Appeals has considered essentially the same issues involved in the case being handled by Dean Hyman and has upheld the right of petitioners in a state penal institution to seek relief from alleged religious persecution without first exhausting the remedies available to them under state laws. However, the recent New York Court of Appeals case of Matter of Brown stated that although the right to exercise religious beliefs is a preferred right, it is not absolute and should not interfere with laws enacted by the state for its preservation, safety or welfare. The Court of Appeals remanded, holding petitioner to be entitled to the rights conferred by the Constitution and Sec. 610 of the Correction Law, subject to their limitations and the reasonable rules and regulations established by the Commissioner of Corrections.

Aiding Dean Hyman in the SaMarion case is Richard F. Griffin, Trial Practice instructor at the Law School, and Wade J. Newhouse, Professor of Constitutional Law.

Juniors Begin Student Lectures

A new idea has taken shape and form at the Law School in recent weeks. The Junior Class is presenting a lecture series on a weekly basis. The lecture topics have ranged from the stock market to American Theater. The discussions are led by students who have spent considerable time studying these areas. There are two criteria used in selecting a topic: It must be outside of the law, and it must be worthy of discussion.

Any doubts about the quality of a student lecture were resolved by the first talk given by Ross Dilorenzo and Ed Wisniewski on stock and the stock market. Both spent several hours in preparation and the result was a highly polished and informative discussion.

The next week David Frey lectured on the American Theatre. This young man, who has spent much of his time working in theatrical productions, literally enthralled an audience of twenty students and two professors.

The following week Joel Daniels traced the development of the 19th century movement towards abstract art. To make his lecture more interesting, Mr. Daniels effectively used a set of prints to demonstrate each point of his talk.

Arrangements have already been made for future speakers. Robert English will lecture on insurance and mutual funds. Caesar Naples will discuss poetry. Jerry Carp will speak on the subject of architecture.

The series must solve several problems it it is to succeed. To date, the project has been an effort of the Junior class. In the future all the classes will be needed, as sources, from which to draw speakers. The scheduling of the series has created several difficulties. For the duration of this year, the lectures will be given on Thursday afternoons. Perhaps a better time will be found next year when the series resumes.

If these lectures have proved nothing else, they have shown that law students will take time to listen to a talk by a fellow student. If this seems only a minor point, it should be noted that at the outset this was seen as the major problem facing the series.

LIBRARY EXPANSION

((Starts Page 3, Col. 4))

have had an opportunity to use some of these masterpieces in actual research, or examine them in the Legal Bibliography course, have experienced this influence of tradition and history.

Outstanding in this Treasure Collection are first edition copies of Rolle's Abridgement (1688) and of Sir Edward Coke's Institutes of the Laws of England, Second Part (1641), Third Part (1644), and Fourth Part (1644). (The librarian would like to complete this set by obtaining a first edition of the First Part.) Dean Hyman donated from his own library, among other valuable works, an early edition of "Doctor and Student" (1687), one of the first textbooks for law students.

Recently, Assoc. Prof. Cohen experienced the disappointment of missing an opportunity to purchase a first edition copy of James Kent's Commentaries on American Law. Naturally, the appearance of such works on the market is very rare and requires immediate action along with the instantaneous availability of funds. The librarian hopes that the alumni will provide a standing fund for this purpose, since the library operating budget is inappropriate and inadequate. Assoc. Prof. Cohen is still anxious to obtain a copy of the first edition of Kent's work, and is very interested in a first American edition of Blackstone's Commentaries.

With an accent on "good books, well used," Assoc. Prof. Cohen expresses his hope that the library will continue to make an important contribution to the educational program of the Law School.

Student Senator Elected

In a surprising and hard fought senatorial election, a relatively unknown freshman scored an upset over his two well qualified opponents. Bill Carnahan captured 79 out of 184 ballots cast. The remaining votes were shared by Tim Leixner (54) and Jerry Lippes (51). The electoral turnout was unexpected, as all but two students voted.

Our new student senator is a graduate of Canisius College where he majored in English Literature. While in college he was elected to the DiGamma Honor Society, President of the Canisius College Debating Society, and Senior Delegate to the National Federation of Catholic College Students. Bill was also selected for Who's Who in American University and College Students.

His plans for the coming year include a necessary request for additional funds from the University. He feels this appropriation to be of the utmost urgency in that our necessary activities are being strangled for want of needed funds.

The position of Student Senator is important in that he not only represents the interests of the Law School on the Campus but is a voting member of the Student Bar.

Yearbook Set For May

This year's edition of the Advocate, the yearbook of the Law School, promises to provide the students and faculty with a publication of increased quality and added features. Photography is being handled by Varden Studios; informal pictures by James MacTarnaghan, a student.

This year's Editors, Stephen Blass, Lawrence Chesler and Phillip Brothman, have included several new features, and have promised delivery of the completed volume to the Student Bar Association by May 1st.

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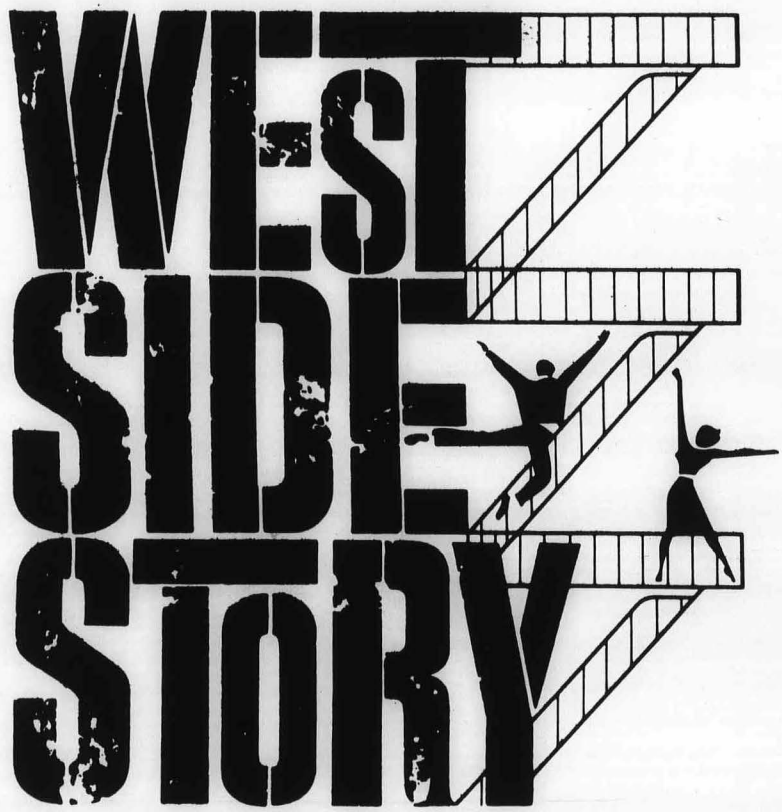

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